

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1345 w/CS Florida Council on Deafness

**SPONSOR(S):** Bilirakis

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 2244

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) State Administration	6 Y, 0 N w/CS	Brazzell	Everhart
2) Elder Affairs & Long Term Care		Meyer	Liem
3) Appropriations			
4)			
5)			

**SUMMARY ANALYSIS**

This CS creates the Florida Council on Deafness, a nine-member body whose members are appointed by the Governor and confirmed by the Senate, and provides for its roles and duties as an advisory and coordinating body.

The CS has a minimal fiscal impact on state government and does not appear to have a fiscal impact on local governments.

The bill takes effect upon becoming a law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |  |   |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

This bill creates a new advisory body, the Florida Council on Deafness.

#### B. EFFECT OF PROPOSED CHANGES:

##### **Background:**

Currently there is no state program specifically dedicated to meeting the broad needs of individuals of all ages who are deaf, hard-of-hearing, and late-deafened. Other state programs may provide some assistance but have limited eligibility criteria or limited scope of services. For instance, children may be served by Children's Medical Services. Adults who are deaf, hard-of-hearing, and late-deafened who have other disabilities may be served by the Developmental Disabilities Program or Adult Services Program of the Department of Children and Families. The Vocational Rehabilitation Program with the Department of Education serves qualifying individuals with disabilities including hearing impairment in securing and maintaining employment.

Various community programs may provide assistance as well. There are deaf service centers in many areas of the state which provide services including education and information and referral. Other organizations, such as Independent Living Centers, which serve the needs of individuals with a range of disabilities also assist those who are deaf, hard-of-hearing, and late-deafened.

Chapter 83-182, Laws of Florida, created the Florida Council for the Hearing Impaired. Its duties and responsibilities included overseeing services affecting hearing impaired persons in the areas of public services, health care, and educational opportunities; determining ways to improve the level of services provided by state agencies to hearing impaired persons; serving as an advisory body on the needs of the hearing impaired; reviewing state services available to identify areas of duplication; and preparing an annual report. This council was eliminated by ch. 95-327, L.O.F., effective July 1, 1995.

Sign-language interpreters are not currently licensed by the state. The National Registry of Interpreters for the Deaf certifies interpreters who pass its exams and agree to comply with its code of ethics, among other requirements; there is a Florida affiliate, the Florida Registry of Interpreters for the Deaf. Certification is not required for employment as an interpreter.

Regarding other specialized services for individuals who are deaf, hard-of-hearing, and late-deafened:

- Part I of ch. 468, F.S., regulates speech-language pathologists and audiologists through the Board of Speech-Language Pathology and Audiology in the Department of Health.
- Part II of ch. 484 provides for regulation of the dispensing of hearing aids; the Board of Hearing Aid Specialists in the Department of Health oversees that activity.
- In accordance with provisions of part II of ch. 427, the Florida Public Service System implements, promotes, and oversees the administration of a statewide telecommunications access system to provide access to telecommunications relay services.

## **Proposed Changes:**

The bill creates the Florida Council on Deafness (Council), a nine-member body whose members are appointed by the Governor and confirmed by the Senate. Except for some members' initial terms, all terms shall be for 4 years. The Council's quorum is 5 members. It is assigned to the Department of Education for administrative and fiscal purposes but otherwise functions independently; DOE staff assist it in carrying out its duties.

The Council is an advisory and coordinating body that recommends policies to address the needs of deaf, hard-of-hearing, and late-deafened individuals and improve the coordination of public and private service providers. Key responsibilities of the Council include:

- Providing information and assistance to the Legislature.
- Providing technical assistance, advocacy, and education.
- Providing information and referral services.
- Reporting to the Governor, Legislature, and Chief Justice by January 1, 2004, regarding a variety of issues, among which are state agency compliance with accessibility standards and licensure of sign-language interpreters, providers of Computer-Aided Real-time Translation services, and other service provider accreditation standards.

In carrying out its responsibilities, the Council may:

- Secure assistance from other state agencies.
- Accept grants and use these funds for programs and providing other assistance.
- Contract for necessary goods and services.

This bill takes effect upon becoming a law.

### **C. SECTION DIRECTORY:**

Section 1: Creates an unnumbered section of law which establishes the Florida Council on Deafness; specifies the membership; and provides roles and duties.

Section 2: Provides that the bill shall take effect upon becoming a law.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues: None.
2. Expenditures: Travel for council members for four meetings annually is estimated at \$25,000 per year.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues: None.
2. Expenditures: None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.**

D. FISCAL COMMENTS: None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not applicable.

2. Other: None.

B. RULE-MAKING AUTHORITY: Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS: While the bill requires the Governor to consult with organizations serving the deaf, it does not explicitly require that any of the members be persons who are deaf, hard-of-hearing, and late-deafened.

The bill does not provide for removal and replacement of individuals derelict in their duties as council members. While not a requirement, such a provision may facilitate the council's accomplishing its duties.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

This bill was amended by the Committee on State Administration on April 8, 2003. This amendment:

- changes the body from a commission to a council.
- provides for administrative location within the Department of Education rather than the Governor's Office and for staff assistance by the Department of Education.
- increases its membership from 7 to 9 members and removes the requirement that its members represent certain groups.
- deletes the requirement that it have offices and employ staff.
- eliminates its power to license and accredit certain services and to ensure compliance by state agencies with accessibility standards.
- removes the requirement that it offer certain services.
- requires a report on specific topics.

This bill was reported favorably with a committee substitute.